

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
NORTHEASTERN DIVISION**

KRISTA GUINN,
ELIZABETH MYERS, and
ROBERT DEAL
Plaintiffs,

vs.

MAPCO EXPRESS, INC. and DELEK US
HOLDINGS, INC.,

Defendants.

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JURY DEMAND

NO. 5:14-cv-806-MHH

PLAINTIFFS' VOLUNTARY MOTION TO DISMISS WITHOUT PREJUDICE

COMES NOW the Plaintiffs, by and through the undersigned counsel, and in light of this Court's recent Opinion and Order dismissing in part certain federal claims and expressing concern relative to subject matter jurisdiction as to remaining state law negligence claims and in order to pursue those claims in the appropriate state court forum, and hereby request that this Court enter an order allowing plaintiffs to voluntarily dismiss their cause of action against Defendants without prejudice pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i), with each party to bear its own costs, including attorneys' fees.

September 26th, 2014

BURNETTE, DOBSON & PINCHAK

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CERTIFICATE OF SERVICE

The foregoing pleading has been filed electronically with the Court via the Court's ECF/PACER system. All interested parties have been served electronically.

This 26th day of September, 2013.

By: s/Steven F. Dobson